

1. Transmittal Form bearing a Certificate of Mailing dated August 8, 2001;
2. Preliminary Amendment bearing a Certificate of Mailing dated August 8, 2001;
and
3. A copy of a postcard identifying the Transmittal Form and the Preliminary Amendment as being sent on August 8, 2001 and being received by the United States Patent Office on August 13, 2001.

Referring to MPEP § 508, rectifying missing documents in the file should be handled by the Office in an informal matter. As such, these documents are provided herewith. In view of the foregoing, consideration of claims 6-20 is respectfully requested and that any Office Action provided in response to such claims be non-final.

Claims 1-3 and 5 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Williams, U.S. Patent No. 2,808,189. Claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams '189 patent in view of Comer, U.S. Patent No. 4,942,965. As hereinafter described, applicant believes that claims 1-5 define over the cited reference and reconsideration is respectfully requested in view of the following comments.

Claim 1 defines a support structure for supporting a plurality of objects. The structure includes an elongated member having first and second sides. The first side includes two or more rib sections spaced apart from one another and substantially parallel to one another. Each of the rib sections on the first side of the elongated member include an alternating series of arches and depressions wherein the depressions in each of the rib sections are substantially aligned with one another. In addition, the second side includes two or more rib sections spaced apart from one another and substantially parallel to one another. Each of the rib sections of the second side of the elongated member includes an alternating series of peak and depressions wherein the depressions of each of the rib sections of the second side are substantially aligned with each other

and wherein the rib sections of the second side are offset from corresponding positioning on the rib sections of the first side. As hereinafter described, such a structure is not shown or suggested in the Williams '189 patent.

The William '189 patent defines a structure for packing fragile articles. The structure includes a molded sheet having a product engaging surface that includes a plurality of supporting rows A-E for supporting corresponding tubular elements. However, as best seen in Fig. 4, the second side of the elongated member does not include two or more rib sections that define an alternating series of peaks and depressions so as to provide a second product engaging surface. Consequently, as best seen in Fig. 4, the packing material disclosed in the Williams '189 patent is intended to merely protect a single row of tubular articles.


On the other hand, by providing a plurality of alternating peaks and depressions on both sides of the elongated member, unlike the structure disclosed in the Williams '189 patent, the supporting member of the present invention may be positioned between first and second layers of tubular articles. This, in turn, allows a user to form a stack of tubular articles, something that is not possible with the packing material discloses in the Williams '189 patent. As a result, it is believed that independent claim 1 defines over the cited reference, and passage to allowance is respectfully requested.

Claims 2-5 depend either directly or indirectly from independent claim 1 and further define a support member not shown or suggested in the prior art. It is believed that claims 2-5 is allowable as depending from an allowable base claim and in view of the subject matter of each claim.

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Applicant believes that the present application with claims 1-20 is in proper form for allowance and such action is earnestly solicited. The Applicant believes there are no fees associated with this transmission. However, the Commissioner is hereby authorized to charge payment of any fee associated with this or any other communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,


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